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Applicant(s)	Michael J. Geile et al.	<b><u>PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY</u></b>
Serial No.	09/901,374	
Filing Date	July 9, 2001	
Group Art Unit	2684	
Examiner Name	W. Cumming	
Attorney Docket No.	100.070US26	
Title: DYNAMIC ALLOCATION OF TRANSMISSION BANDWIDTH IN A COMMUNICATION SYSTEM		

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Washington, D.C. 20231

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This petition is in response to a Notice of Non-Responsive Amendment dated July 13, 2002. Applicant hereby petitions to have their priority claim, as set forth below, accepted. When filing the present application on July 9, 2001 Applicant provided a signed Declaration/Power of Attorney indicating proper claim of priority under 35 U.S.C. §120 to US Application No. 08/364,659 (priority application '659) filed on February 6, 1995. In a cross reference to related cases paragraph on the first page of the present application Applicant unintentionally referred to priority application '659 as a related application instead of a continuation-in-part application priority application. As a result Applicant is submitting this petition to claim priority to application '659. Applicant unintentionally omitted a reference to priority application '659 and Applicant attests that the delay between the date the claim was due under 37 C.F.R. 1.78(a)(2) or (a)(5) and the date of this petition was unintentional. The following paragraph is the corrected cross-reference to related cases paragraph to be provided in the present application.

--This Application is a divisional application of U. S. Patent 6,279,158 (Application Serial No. 09/397,443), issued August 21, 2001 which is a divisional of U.S. Patent 6,334,219 (Application Serial No. 08/673,002) issued December 25, 2001 which is a continuation-in-part of U.S. Application Serial Nos. 08/650,408 filed 5/20/96 (abandoned), 08/457,295 filed 6/1/95 (abandoned), 08/384,659 filed 2/6/95 (abandoned), and 08/457,317 filed 6/1/95 (abandoned), which applications are incorporated by reference. This application is related to U.S. Application Serial Nos. 08/311,964 filed 9/26/94 (abandoned), 08/455,340 filed 5/31/95 (abandoned), 08/455,059 filed 5/31/95 (abandoned), 08/457,294

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filed 6/1/95 (abandoned), 08/457,110 filed 6/1/95 (abandoned), 08/456,871 filed 6/1/95 (abandoned), 08/457,022 filed 6/1/95 (abandoned), and 08/457,037 filed 6/1/95 (abandoned), which applications are incorporated by reference.--


Applicant has enclosed a check for \$1,280.00 for acceptance of this unintentionally delayed claim for priority, as set forth in § 1.17(t). The Commission for Patents is hereby authorized to charge any additional fees or credit any overpayment, to Deposit Account No. 501373.

**Conclusion**

Applicant respectfully requests acknowledgement of the acceptance of this petition and corrected claim of priority. If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2205.

Respectfully submitted,

Date: August 1, 2002

  
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08-02-02

DAC #

Applicant	Michael J. Geile et al.	<b>TRANSMITTAL FORM UNDER 37 C.F.R. \$1.10 (Large Entity)</b>
Serial No.	09/901,374	
Filing Date	July 9, 2001	
Group Art Unit	2684	
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<b>Enclosures</b>
<p><b>The following documents are enclosed:</b></p> <p><input checked="" type="checkbox"/> Petition to Accept an Unintentionally Delayed Claim for Priority (2 pgs.).</p> <p><input checked="" type="checkbox"/> A check in the amount of \$1,280.00 for the Petition fee under §1.17(t).</p> <p><input checked="" type="checkbox"/> A return postcard.</p> <p><b>Please charge any additional fees or credit any overpayments to Deposit Account No. 501373.</b></p>

<b>Submitted By</b>			
Name	Laura A. Ryan	Reg. No.	49,055
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Signature	<i>Laura A. Ryan</i>	Date	8/1/2002
Attorneys for Applicant Fogg Slifer Polglaze Leffert & Jay, PA P.O. Box 581009 Minneapolis, MN 55458-1009 Tel: 612-312-2200 Fax: 612-312-2250 <b>Customer Number: 27073</b>		<b>RECEIVED</b> <b>AUG 05 2002</b> <b>OFFICE OF PETITIONS</b>	

<b>Certificate of Mailing</b>
<p><b>Express Mail" mailing label number: EV075563645US Date of Deposit: August 1, 2002</b></p> <p>These papers and fees are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and addressed to the Commissioner for Patents, Washington, D.C. 20231.</p> <p style="text-align: center;">(LARGE ENTITY TRANSMITTAL UNDER 37 C.F.R. 1.10)</p>